



UNITED STATES PATENT AND TRADEMARK OFFICE



DEC 12 2006

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/564,269	Ryuichi Morishita	ANGES-9

1473
FISH & NEAVE IP GROUP
ROPE & GRAY LLP
1251 AVENUE OF THE AMERICAS FL C3
NEW YORK, NY 10020-1105

RECEIVED

JUL 31 2006

ROPE & GRAY LLP, PATENT DEPT.
REF: AS
NOTED BY

INTERNATIONAL APPLICATION NO.

PCT/JP04/09838

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

07/09/2004

CONFIRMATION NO. 7392
371 FORMALITIES LETTER



OC000000019730058

Date Mailed: 07/25/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/09/2006
- Copy of the International Search Report filed on 01/09/2006
- Information Disclosure Statements filed on 01/09/2006
- Biochemical Sequence Diskette filed on 01/09/2006
- Oath or Declaration filed on 01/09/2006
- Biochemical Sequence Listing filed on 01/09/2006
- Request for Immediate Examination filed on 01/09/2006
- U.S. Basic National Fees filed on 01/09/2006
- Priority Documents filed on 01/09/2006
- Specification filed on 01/09/2006
- Claims filed on 01/09/2006
- Abstracts filed on 01/09/2006
- Drawings filed on 01/09/2006
- Paper Computer Listings filed on 01/09/2006

File No.: ANGES/009
Action Desc: Executed Declaration due
Due Date: September 25, 2006
By JIB

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

Express Mail No.
EV 669676401 US

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO
10/564,269	PCT/JP04/09838	ANGES-9

FORM PCT/DO/EO/905 (371 Formalities Notice)



12-26-06

Express Mail Label No. EV 669676401 US

PTO/SB/21 (09-06)

Approved for use through 3/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11

Application Number	10/564,269
Filing Date	January 9, 2006
First Named Inventor	Ryuichi Morishita
Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Attorney Docket Number	ANGES-9

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (in duplicate) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Requirements under 35 U.S.C. 371	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Copy of Notice of Missing Requirements; Copy of Executed Declaration; Postcard
<input type="checkbox"/> Remarks The Director is hereby authorized to charge payment of any fees required in connection with filing of these papers to Deposit Account No. 06-1075, Order No. 003734-0059. A duplicate copy of this letter is transmitted herewith.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Customer No. 1473	
Signature		
Printed name	Margaret A. Pierri	
Date	December 22, 2006	Reg. No. 30,709

CERTIFICATE OF TRANSMISSION/EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop Missing Parts, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Signature	
Typed or printed name	Isatta B. Smith

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



EV 669676401 US

ANGES-9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ryuichi Morishita et al.
Application No. : 10/564,269 Confirmation No.: 7392
Filed : January 9, 2006
For : MEDICINAL COMPOSITION CONTAINING NF- κ B
DECOY FOR TREATING AND PREVENTING
RESPIRATORY DISEASES AND METHOD OF
USING THE SAME
Art Unit : Not yet assigned
Examiner : Not yet assigned

New York, New York
December 22, 2006

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. 371**

Sir:

This responds to the July 25, 2006 Notification of Missing Requirements Under 35 U.S.C. 371 ("Notice") in the above-identified application (copy enclosed herewith). Applicants have petitioned concurrently herewith to extend the time for response to the Notice for three months, from September 25, 2006 to December 25, 2006 and, in the accompanying Transmittal Form, have authorized payment of the applicable extension of time fee.

Remarks begin on page 2.